

1  
2  
3  
4  
5  
6 **IN THE UNITED STATES DISTRICT COURT**  
7 **FOR THE DISTRICT OF ARIZONA**  
8

9 United States of America,  
10 Plaintiff,  
11 v.  
12 Brian Tackett,  
13 Defendant.  
14

CR 22-00462-TUC-JGZ (LAB)

**ORDER  
CONTINUING PLEA DEADLINE  
AND TRIAL**

15  
16 This case is presently set for trial on June 22, 2022. The Defendant filed a motion  
17 to continue and, for the reasons set forth therein, additional time is required to adequately  
18 prepare for trial. The Government has no objection to a continuance.

19 The Court finds that the ends of justice served by continuing this case outweigh the  
20 best interests of the public and the defendant in a speedy trial.

21 **IT IS ORDERED** as follows:

22 1. The date by which the referred magistrate judge hears the change of plea must  
23 be no later than July 22, 2022, by 3:00 p.m.

24 2. All motions, unless made during a hearing or trial, shall be in writing and shall  
25 be made sufficiently in advance of trial to comply with the time periods set forth in  
26 LR Civ. 7.2 and any court order and to avoid any delays in the trial. Pretrial motions may  
27 be heard before a magistrate judge and a Report and Recommendation will be provided to  
28 the district judge assigned to the case.

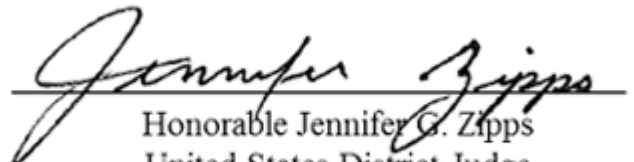
1           3. This matter is RESET for trial on **August 9, 2022, at 9:30 a.m. Counsel are to**  
2 **be present at 9:00 a.m.**

3           4. Excludable delay under 18 U.S.C. §3161(h)(7) is found to commence on  
4 June 23, 2022, and end on August 9, 2022. Such time shall be in addition to other  
5 excludable time under the Speedy Trial Act and shall commence as of the day following  
6 the day that would otherwise be the last day for commencement of trial.

7           5. Any and all subpoenas previously issued shall remain in full force and  
8 effect through the new trial date.

9           6. **Any motion or stipulation to continue the scheduled trial date and change**  
10 **of plea deadline shall be filed with the Clerk of Court no later than 5:00 p.m.,**  
11 **Monday, July 25, 2022. Alternatively, by that same deadline, if after consultation**  
12 **between government and defense counsel it is determined that a motion to continue**  
13 **the scheduled trial date and change of plea deadline will not be filed, government**  
14 **counsel shall notify the Court by an email to the chambers email address that the**  
15 **case and counsel are ready to proceed to trial on the scheduled trial date. The**  
16 **notification shall also include the estimated number of trial days needed to complete**  
17 **the trial.**

18                     Dated this 6th day of June, 2022.

19  
20  
21   
22 Honorable Jennifer G. Zipp  
23 United States District Judge  
24  
25  
26  
27  
28